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8 Attorneys for Mr. Perez-Lemos,

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE DANA M. SABRAW)

20 UNITED STATES OF AMERICA,) CASE NO. 08CR1191-DMS
21 v.) Plaintiff,) DATE: MAY 12, 2008
22 DAVID PEREZ-LEMOS,)) TIME: 11:00 A.M.
23)) NOTICE OF MOTIONS AND MOTIONS TO:
24)) (1) DISMISS THE INDICTMENT FOR
25)) GRAND JURY VIOLATION;
26)) (2) SUPPRESS EVIDENCE THAT WAS
27)) FRUIT OF ILLEGAL STOP;
28)) (3) COMPEL DISCOVERY/PRESERVE
)) EVIDENCE; AND
)) (4) GRANT LEAVE TO FILE FURTHER
)) MOTIONS

20 TO: KAREN HEWITT, UNITED STATES ATTORNEY, AND
21 PETER J. MAZZA, ASSISTANT UNITED STATES ATTORNEY:

22 PLEASE TAKE NOTICE that on May 12, 2008 at 11:00 p.m., or as soon thereafter as counsel may
23 be heard, defendant, David Perez-Lemos, by and through his attorney, Norma A. Aguilar, and Federal
24 Defenders of San Diego, will ask this Court to enter an order granting the following motions.

MOTIONS

Defendant, Margarita Heredia-Vargas, by and through her attorney, Norma A. Aguilar and Federal
Defenders of San Diego Inc., asks this Court pursuant to the United States Constitution, the Federal Rules
of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- 1) Dismiss the Indictment for Grand Jury Violation;
- 2) Suppress Evidence That Was Fruit of Illegal Stop;
- 3) Compel Discovery/Preserve Evidence; and
- 4) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: April 28, 2008

/s/ Norma A. Aguilar
NORMA A. AGUILAR
Attorney for Mr. Perez
norma_aguilar@fd.org